



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/807,141

03/24/2004

Kang Soo Seo

1740-000092/US

2764

30593

7590

03/03/2009

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 8910

RESTON, VA 20195

EXAMINER

WENDMAGEGN, GIRUMSEW

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

03/03/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/807,141	<b>Applicant(s)</b> SEO ET AL.	
	<b>Examiner</b> GIRUMSEW WENDMAGEGN	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 11/05/2008 have been fully considered but they are not persuasive.

On page9, applicant argues that "Tsuga does not teach or suggest that its block mode in any ways defines which titles are to be reproduced or skipped during title block jump operation." However examiner respectfully disagrees. Tsuga teaches using "level ID" to determine what video data can be selectively reproduced in accordance with the rating skipping the reset (Tsuga column12 line39-42). See column12 line 60-6, only one PGC from the block is selectively reproduced based on the level selected and skipped the reset of the PGC in the block.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim1-4, 6-15, 17-19** is rejected under 35 U.S.C. 102(b) as being anticipated by Tsuga et al (patent No US 5,691,972).

Regarding claim1,10-12, Tsuga et al(hereinafter Tsuga) anticipates a computer-readable medium storing a data structure managing reproduction of multi-path video

Art Unit: 2621

data from a computer-readable medium by a reproducing apparatus, comprising: a data area storing the multi-path video data( see figure4 ); and a management information area storing title management information (see figure 5 video title set management information); the title management information assigning a plurality of titles to the multi- path video data ( see column10 line 21-32); the title management information including at least one entry title defining a title block reproduction start point during a title jump and at least one non-entry title that is skipped during the title jump (see column12 line39-42; figure 7, block mode "start" corresponds with entry while "middle" and "end" mode corresponds to non-entry title); and each of the titles pertaining to a title block associated with a mutually different reproduction path (see column10 line 21- 32; figure 8 and its description column 12-13).

Regarding claim2, Tsuga anticipates the computer-readable medium of claim 1, wherein each of the titles has type information to identify whether it is entry title or not (see figure 7 Block Mode).

Regarding claim3, Tsuga anticipates the computer-readable medium of claim 2, wherein titles not pertaining to the title block are specified to entry titles by the type information (see figure 7 Block Mode).

Regarding claim4, 13, Tsuga anticipates computer-readable medium of claim 1, wherein the entry and non-entry titles pertaining to the title block are regarded as a

Art Unit: 2621

single title when title jump is conducted and title selection menu is displayed (see column5 line 13-25).

Regarding claim6, 14, Tsuga anticipates the computer-readable medium of claim 1, wherein, if jump to a previous/next title is requested during reproduction of a title pertaining to the title block, another entry adjacent to and not pertaining to the title block is reproduced (see column5 line 13-25).

Regarding claim7, Tsuga anticipates the computer-readable medium of claim 1, wherein the different reproduction paths are assigned to different parental levels, respectively (see column12 line 39-54; figure11, figure12A and 12B).

Regarding claim8, Tsuga anticipates the computer-readable medium of claim 1, wherein each of the titles has information to access a play list including at least one play item that points to a part of the multi-path video data (see column5 line 13-25).

Regarding claim9, Tsuga anticipates the computer-readable medium of claim 1, wherein the title management information includes title selection menu data or information to access title selection menu data (see column10 line14-20).

Regarding claim15, Tsuga anticipates the method of claim 13, further comprising the step of displaying one title menu item for all titles pertaining to the title block when a title selection menu is outputted (see column5 line 13-25).

Regarding claim17, Tsuga anticipates an apparatus for reproducing a data structure managing reproduction of multi-path video data recorded on a recording medium, the apparatus comprising: a device pickup configured to reproduce data recorded on the recording medium(see figure13B element 82) ; a decoder configured to present the reproduced data (see figure13B element 85); and a controller operably coupled to the pickup, configured to control reproducing title management information from a management information area on the recording medium and the multi-path video data from a data area on the recording medium based on the title management information, the title management information including at least one entry title defining a title block reproduction start point during a title jump and at least one non-entry title that is skipped during the title jump (see column12 line39-42; figure 7, block mode "start" corresponds with entry while "middle" and "end" mode corresponds to non-entry title);each of the title pertaining to the title block are associated with mutually different reproduction paths (see figure13B element 93).

Regarding claim18, Tsuga anticipates the apparatus of claim 17, wherein, if jump to a previous/next title is requested during reproduction of a title pertaining to the title

block, the controller is configured to control the pickup to reproduce another title adjacent to and not pertaining to the title block (see column5 line 13-25).

Regarding claim19, Tsuga anticipates the apparatus of claim 17, wherein the controller is configured to control the decoder to present one title menu item for all titles pertaining to the title block when outputting a title selection menu (see column5 line 13-25).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim5, 16, 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuga et al (Patent No US 5,691,972).

Regarding claim5, 16, 20, see the teaching of Tsuga above. Tsuga does not teach selecting from the title block within a predetermined time; a video data section associated with a title in the title block specified to an entry title is reproduced. However, it is old and well known in the art to reproduce from the start after predetermined waiting time. Therefore official notice is taken.

One ordinary skill in the art at the time the invention was made would have been motivated to incorporate old and well known method of start reproducing after predetermined waiting time in Tsuga system because it would make the presentation much effective.

Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIRUMSEW WENDMAGEGN whose telephone number



Art Unit: 2621

is (571)270-1118. The examiner can normally be reached on 7:30-5:00, M-F, all Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Girumsew Wendmagegn/  
Examiner, Art Unit 2621

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621

Application/Control Number: 10/807,141  
Art Unit: 2621

Page 9